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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/553,459	Paul Hallenbeck	3802-165-27 NATL

INTERNATIONAL APPLICATION NO.

PCT/US04/11622

I.A. FILING DATE	PRIORITY DATE
04/15/2004	04/15/2003

29585
DLA PIPER RUDNICK GRAY CARY US LLP
153 TOWNSEND STREET
SUITE 800
SAN FRANCISCO, CA 94107-1907

CONFIRMATION NO. 6977

371 FORMALITIES LETTER



OC000000020138721

Date Mailed: 08/23/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 10/17/2005
- Copy of the International Search Report filed on 10/17/2005
- Information Disclosure Statements filed on 02/27/2006
- Biochemical Sequence Listing filed on 10/17/2005
- U.S. Basic National Fees filed on 10/17/2005
- Priority Documents filed on 10/17/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

PATENT DOCKET	
DATE:	8/28/06 - mpe
ACTION:	MISSING PARTS/SEQUENCE LISTING
DUE	10-23-06
DEAD	3-23-07

RECEIVED

AUG 28 2006

DLA PIPER RUDNICK
GRAY CARY

- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patent Software Program Help @ ebc@uspto.gov

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/553,459	PCT/US04/11622	3802-165-27 NATL



FEE TRANSMITTAL SHEET (FY 2006)

☒ Applicant claims small entity status (see 37 C.F.R. 1.27)

Complete if Known

Application No.	10/553,459
Int'l Application No.	PCT/US04/11622
I.A. Filing Date	April 15, 2004
First Named Inventor	Hallenbeck, et al.
Examiner Name	To be assigned
Group Art Unit	To be assigned
Attorney Docket Number	3802-165-27 NATL (306229-327)

METHOD OF PAYMENT (Check One)

☐ Check ☐ Credit Card ☐ Money Order
☒ Deposit Account

Deposit Account Number **07-1896**

Deposit Account Name **DLA PIPER US LLP**

The Director is hereby authorized to: (check all that apply)

☒ Charge fees indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) or underpayment of fee(s)
☐ Other (please identify) :

Extra Claim Fees

Current Claims	Extra	Fee	Fee Paid
Total <u>20</u>	=	x \$ 25	= \$
Ind. <u>3</u>	=	x \$ 100	= \$
Multiple Dependent Claims	=	x \$	= \$
Subtotal (Extra Claims Fee)			\$

Petition Fee Under 37 CFR 1.17(f), (g), & (h)

Enclosed is a Petition filed under 37 CFR as indicated below:

☐ Petition Fee under 37 CFR 1.17(f) **Fee \$400**

§ 1.53(e) to accord a filing date.
 § 1.57(a) to accord a filing date.
 § 1.182 for decision on a question not provided for.
 § 1.183 to suspend the rules.
 § 1.378(e) for reconsideration of decision on petition refusing delayed payment of maintenance fee in expired patent.
 § 1.174(b) to accord a filing date to an application under §1.740 for extension of patent term.

☐ Petition Fee under 37 CFR 1.17(g) **Fee \$200**

§ 1.12 for access to an assignment record.
 § 1.14 for access to an application.
 § 1.47 for filing by other than all inventors or person not the inventor.
 § 1.59 for expungement of information.
 § 1.103(a) to suspend action in an application.
 § 1.136(b) for review of a request for ext. of time when §1.136(a) not avail.
 § 1.295 for review of refusal to publish a statutory invention registration.
 § 1.296 to withdraw a req. for pub. after notice of intent to publish issued.
 § 1.377 for review of decision refusing to accept a maintenance fee filed prior to expiration of a patent.

§ 1.550(c) for request for ext. of time in *ex parte* reexam. proceedings.
 § 1.956 for request for ext. of time in *ex parte* reexam. proceedings.
 § 5.12 for expedited handling of foreign filing license.
 § 5.15 for changing the scope of a license.
 § 1.5.25 for retroactive license.

☐ Petition Fee under 37 CFR 1.17(h) **Fee \$130**

§ 1.19(g) to request documents in a form other than provided in this part.
 § 1.84 for accepting color drawings or photographs.
 § 1.91 for entry of a model or exhibit.
 § 1.102(d) to make an application special.
 § 1.138(c) to expressly abandon an application to avoid publication.
 § 1.313 to withdraw an application from issue.
 § 1.314 to defer issuance of a patent.

FEE CALCULATION (Continued)

3. ADDITIONAL FEES

Large Entity Fee	Small Entity Fee	Fee Description	Fee paid
50	25	Surcharge - late provisional filing fee or cover sheet	
130	65	Surcharge - Late nonprovisional filing fee or oath	65
180	180	Submission of IDS	
40	40	Recording each patent assignment per property (times number of properties)	
120	60	Extension for reply within first month	60
450	225	Extension for reply within second month	
1,020	510	Extension for reply within third month	
1,590	795	Extension for reply within fourth month	
2,160	1,080	Extension for reply within fifth month	
790	395	Submission After Final 1.129	
500	250	Notice of Appeal	
500	250	Filing a brief in support of an appeal	
1,000	500	Request for oral hearing	
110	55	Terminal Disclaimer Fee	
800	400	Design Issue Fee	
790	395	Request for Continued Examination (RCE)	
130		Request for voluntary publication or republication	
300	150	Basic Filing Fee	
500	250	Search Fee	
200	100	Examination Fee	
400		Request for reinstatement of term reduced	
1,120		Extension of term of patent	
OTHER FEE (specify)			

Subtotal (Additional Fees) \$125

Total Amount of Payment: \$125

Submitted by:

CUSTOMER NUMBER: **29585**

Individual or Firm Name: **DLA PIPER US LLP**

11/24/2006 LLANDGRA 00000060 071896 10553459

01 FC:2617
Signature:

65.00 DA

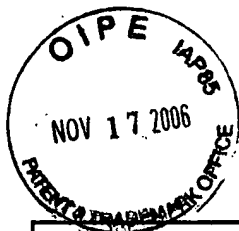
Phone No.: 415/836.2500

Fax No: 415/836.2501

Printed Name: Linda R. Judge

Reg. No.: 42,702

Date: 11/17/06



Express Mail Label No. EV 866302048 US

TRANSMITTAL FORM

(To be used for all correspondence after initial filing)

Application No.	10/553,459	
	Int'l Application No.	PCT/US04/11622
	Int'l Filing Date	April 15, 2004
	First Named Inventor	Hallenbeck, et al.
	Examiner Name	To be assigned
Total Number of Pages in this Submission:	Attorney Docket No.	3802-165-27 NATL (306229-327)

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee attached <input checked="" type="checkbox"/> Preliminary Amendment <input type="checkbox"/> After Final <input type="checkbox"/> Affidavit/Declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input checked="" type="checkbox"/> Copy of Notification of Missing Requirements <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts Notice/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Declaration <input checked="" type="checkbox"/> Assignment (executed) <input checked="" type="checkbox"/> Power of Attorney and Correspondence Address Indication Form (executed) <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Declaration Under 37 CFR 1.47(a) (executed) <input checked="" type="checkbox"/> Exhibits A and B <input checked="" type="checkbox"/> Statement Under 37 CFR § 1.821-1.825 <input type="checkbox"/> Substitute PTO Form 1449 <input type="checkbox"/> Cited Reference(s) <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After-Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s): <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Sequence Listing (paper) <input checked="" type="checkbox"/> CRF Diskette
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Remarks:

Please address all correspondence to Customer Number 29585

The Director is hereby authorized to charge any fees that may be required in connection with the papers submitted herewith that have been inadvertently omitted, specifically including any extension fees that may be required under 37 CFR § 1.136(a), to Deposit Account No. 07-1896 (Charge No. 3802-165-27 NATL (306229-327))

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Signature		Date	11/17/06
Name	Linda R. Judge Reg. No. 42,702	Telephone	415/836.2586
Address	153 Townsend St., Suite 800, San Francisco, CA 94107	Facsimile	415/836.2501